REMARKS

By this amendment, claims 1-23 are pending, in which no claims are canceled, withdrawn from consideration, currently amended, or newly presented.   No new matter is introduced.

The Final Office Action mailed January 15, 2010 rejected claims 1, 2, and 11-23 under 35 U.S.C. § 102(b) as anticipated by *Savatier* (US 5,400,075), claims 3, 5, and 16 as obvious under 35 U.S.C. § 103(a) based on *Savatier* (US 5,400,075) in view of *Tahara et al.* (US 5,805,225), claims 4 and 16 as obvious under 35 U.S.C. § 103(a) based on *Savatier* (US 5,400,075) in view of *Carnahan* (US 5,414,780), claims 6, 7, and 16 as obvious under 35 U.S.C. § 103(a) based on *Savatier* (US 5,400,075) in view of *Kato et al.* (US 5,719,986), claims 8 and 16 as obvious under 35 U.S.C. § 103 based on *Savatier* (US 5,400,075) in view of *Weinberger et al.* (US 5,680,129), and claims 9 and 10 as obvious under 35 U.S.C. § 103(a) based on *Savatier* (US 5,400,075) in view of *Moroney et al.* (US 5,771,239).

The rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) are traversed for the reason set forth in the response of November 18, 2009 and the Examiner is respectfully requested to reconsider and to withdraw the rejections in light of the following:

Applicants maintain their position that *Savatier* simply does not disclose or suggest the claim feature of "grouping video frames that are **only between consecutive I-frames** into a video data set." The Final Office Action disagreed with this position and asserted that the P-frames and the B-frames in Fig. 1 of *Savatier* are only between the I-frames and are compressed independently of any other frames, it being contended that the P- and B-frames are encoded by the encoder of Fig. 3.

Respectfully, the Final Office Action is not properly applying *Savatier* to the specific language of independent claims 1, 17, 19, and 22.   In accordance with these claims, **only** video

frames that are **between** consecutive I-frames are grouped into a video data set. Consequently, the I-frames cannot be part of that group, or video data set. The B- and P-frames of *Savatier* are not so grouped. As seen in Fig. 1 of *Savatier*, each group of video frames, GOFi and GOFi+1, must consist of the B- and P-frames sandwiched between, and including, the two-I-frames. The two I-frames in *Savatier* are clearly part of the group. Thus, in *Savatier*, there are no video frames grouped into a video data set, wherein the members of that group do not include I-frames, as required by the language of independent claims 1, 17, 19, and 22. The Examiner may not arbitrarily pick out the B- and P-frames between the I-frames in *Savatier* and call only the B- and P-frames a group, or video data set. There is absolutely no disclosure or suggestion in *Savatier* of **only** these B- and P-frames forming a video data set group, especially a video data set that is then split into a plurality of homogeneous files, with each of the homogeneous files then being individually compressed.

Similarly, independent claim 21 recites "splitting the **video data set consisting of non-intra video frames** into a plurality of data sequences." Thus, in claim 21 also, each video data set must "consist" (i.e., include nothing more than what is listed) of "non-intra video frames (i.e., no I-frames are permitted in the video data set. Yet, the video data sets, *viz.*, groups GOFi and GOFi+1 of *Savatier*, include I-frames, this disclosure being inconsistent with the instant claimed subject matter.

The Final Office Action asserted, at page 4, that when an inter-coding mode is selected in *Savatier*, only P- or B-frames are encoded, referring to col. 3, lines 13-45. The cited portion of the reference recites

> Blocks of data encoded according to P or B interframe coding also consist of matrices of Discrete Cosine Coefficients. In this instance however the coefficients represent residues or differences between a predicted 8.times.8 pixel matrix and the actual 8.times.8 pixel matrix.

These coefficients are also subjected to quantization and run- and variable-length coding. In the frame sequence **I and P frames are designated anchor frames. Each P frame is predicted from the last-most occurring anchor frame. Each B frame is predicted from one or both of the anchor frames between which it is disposed.** The predictive coding process involves generating displacement vectors which indicate which macroblock of an anchor frame most closely matches the macroblock of the predicted frame currently being coded. The pixel data of the matched block in the anchor frame is subtracted, on a pixel-by-pixel basis, from the block of the frame being encoded, to develop residues. The residues are subjected to the Discrete Cosine Transform and the transformed residues and the motion vectors comprise the coded data for the predictive frames. **Even though a frame is predictive encoded, if no reasonable block matches can be found, a particular block or macroblock in the predictive frame may be intraframe coded.** In addition certain ones of the macroblocks may not be encoded. Macroblocks are skipped by increasing the address of the next coded macroblock. Macroblocks of interframe encoded data include information defining the level of quantization employed, a macroblock address or location indicator, a macroblock type (intra-coded, inter-coded) then the DCT coefficients for each of the six blocks within a macroblock, each of which is followed by an end of block code EOB (emphasis added).

As can be seen in this portion of *Savatier,* there is no mention of the B- and P- frames

only being formed into a video data set, which is then split into a plurality of homogeneous

files, with each of the homogeneous files then being individually compressed.   In fact, as can be

seen in the emphasized portions, I frames are very much taken into account in the encoding

process, with an I-frame being designated as an anchor frame (i.e., the I-frame is still part of the

group, or video data set), and that any frame may be predictive coded or intraframe coded.

Therefore, this portion of the reference cited in the Final Office Action does not provide any

disclosure or suggestion of forming a video data set group **only** of B- and P-frames, especially a

video data set that is then split into a plurality of homogeneous files, with each of the

homogeneous files then being individually compressed.   Separate encoding modes for I-frames

and other frames does not, *per se*, suggest forming a video data set group **only** of B- and P-

frames, the video data set then being split into a plurality of homogeneous files, with each of the homogeneous files then being individually compressed.

With regard to col. 2, lines 54-66, of *Savatier*, cited in the Final Office Action for an alleged teaching of splitting the video data set consisting of non-intra video frames into a plurality of data sequences, immediately prior to this portion, the reference discloses that the "**frames in respective GOFs** are compressed according to three processes" (col. 2, lines 50-51). Frames in respective GOFs, by definition, include I-frames since, as depicted in Fig. 1 of the reference, the I-frames are part of the GOFs. Thus, it is simply erroneous for the Final Office Action to contend that *Savatier* discloses or suggests splitting the video data set consisting of non-intra video frames into a plurality of data sequences. Any video data set in *Savatier* includes the I-frames, which is contrary to the subject matter recited in the instant claims.

Accordingly, *Savatier* does not, and cannot, anticipate the subject matter recited in instant claims 1, 2, and 11-23 under 35 U.S.C. § 102(b).

Therefore, the Examiner is respectfully requested to reconsider and to withdraw the rejection of claims 1, 2, and 11-23 under 35 U.S.C. § 102(b).

The rejections of claims 3-10 and 16 under 35 U.S.C. § 103(a) are traversed.

No *prima facie* case of obviousness, within the meaning of 35 U.S.C. § 103, has been established with regard to the subject matter of these claims because the teachings of *Tahara et al., Carnahan, Kato et al., Weinberger et al.,* and *Moroney et al.* fail to cure the noted shortcomings in the teachings of *Savatier*.
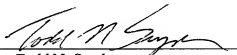
Accordingly, the Examiner is respectfully requested to reconsider and to withdraw the rejections of claims 3-10 and 16 under 35 U.S.C. § 103.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (310) 964-0560 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0383 and please credit any excess fees to such deposit account.

Respectfully Submitted,
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